

HOUSE AGRICULTURE COMMITTEE

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2347*

House Bill No. 3100

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 44-17-303, is amended by deleting subdivision (2) in its entirety and by substituting instead the following language:

(2) For puppies and kittens under four (4) months of age, sodium pentobarbital or other injectable barbiturates shall be used; and;

SECTION 2. Tennessee Code Annotated, Section 44-17-303, is further amended by deleting subdivision (5) in its entirety, by adding the following language as new subdivisions (5) and (6), and by redesignating subdivision (6) as subdivision (7):

(5) By sodium pentobarbital or other injectable barbiturates;

(6) Notwithstanding any provision of this section, animal shelters, dog pounds, animal control agencies, or humane shelters as defined in § 44-17-302, may also use other drugs as authorized for use in certified animal control agencies by the board of veterinary medical examiners pursuant to title 63, chapter 12, or as otherwise provided by law; and

SECTION 3. Tennessee Code Annotated, Section 44-17-304, is amended by deleting the first sentence in its entirety and by substituting instead the following language:

The construction and use of carbon monoxide chambers shall conform to the recommendations of the American Humane Association, the American Veterinary Medical Association or the Humane Society of the United States.

SECTION 4. Tennessee Code Annotated, Section 44-17-305, is deleted in its entirety.

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SECTION 5. Tennessee Code Annotated, Section 68-8-109, is amended by deleting the section in its entirety and by substituting instead the following language:

68-8-109. (a) Any dog found running at large may be seized by the proper health authorities, a peace officer, or an animal control officer and placed in a shelter or facility as is defined in § 44-17-302, in cities or counties where such shelter or facility is available.

(b) If a dog that has been seized as described in subsection (a) above is wearing a tag, the owner shall be notified by a postcard addressed to the owner's last-known mailing address to appear within five (5) days and redeem the dog by paying a pound fee established by local authorities, or the dog may be destroyed. If the dog's owner does not appear to redeem the dog within five (5) days, the dog shall become the property of the shelter or facility.

(c) If a dog that has been seized as described in subsection (a) above is not wearing a tag, the dog shall become the property of the shelter or facility unless legally claimed by its owner within two (2) days.

SECTION 6. Tennessee Code Annotated, Section 39-14-210, is amended by deleting subsection (c) in its entirety and by substituting instead the following language:

(c) When any animal comes into the possession of such society as a result of cruelty, through abandonment, or otherwise:

(1) Any agent or officer of such society may lawfully destroy such animal, or cause it to be destroyed, if such animal is not properly cared for,

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appearing, in the judgment of a licensed veterinarian or two (2) reputable citizens, who are experts, called to view such animal in the agent's or officer's presence, to be glandered, injured, diseased, or otherwise harmed past humane recovery; or

(2) After a holding period of not less than seventy-two (72) hours and after having made a reasonable effort to locate and notify the owners, such animal shall become the property of such society.

SECTION 7. No provision of this act shall be construed as affecting or superseding the exemption of hunting dogs and herding dogs from the running at large law provided for in Tennessee Code Annotated, Section 44-8-408.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. This act shall take effect July 1, 1998, the public welfare requiring it.

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